

EINGEGANGEN 11. Sep. 2006

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

From the INTERNATIONAL BUREAU

To:

HARMANN, Bernd-Günther
Büchel, Kaminski & Partner Patentanwälte Est.
Austrasse 79
FL-9490 Vaduz
LIECHTENSTEIN

Date of mailing (day/month/year) 08 September 2006 (08.09.2006)	
Applicant's or agent's file reference P-P-5893-WO	IMPORTANT NOTIFICATION
International application No. PCT/EP2004/014089	International filing date (day/month/year) 10 December 2004 (10.12.2004)
Applicant VIETZ GMBH et al	

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
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1211 Geneva 20, Switzerland

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference P-P-5893-WO	FOR FURTHER ACTION		See item 4 below
International application No. PCT/EP2004/014089	International filing date (<i>day/month/year</i>) 10 December 2004 (10.12.2004)	Priority date (<i>day/month/year</i>) 10 December 2003 (10.12.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant VIETZ GMBH			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 8 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input checked="" type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

Date of issuance of this report
29 August 2006 (29.08.2006)

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Yolaine Cussac
Facsimile No. +41 22 338 82 70	e-mail: pt11@wipo.int

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

TRANSLATION

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

Date of mailing (day/month/year)	See form PCT/ISA/210
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FOR FURTHER ACTION

See paragraph 2 below

Applicant's or agent's file reference

P-P-5893-WO

International application No.

PCT/EP2004/014089

International filing date (day/month/year)

10.12.2004

Priority date (day/month/year)

10.12.2003

International Patent Classification (IPC) or both national classification and IPC

B23K26/08

Applicant

VIETZ GMBH

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement
<input checked="" type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP

Authorized officer

Faxsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2004/014089

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

a sequence listing
 table(s) related to the sequence listing

b. format of material

in written format
 in computer readable form

c. time of filing/furnishing

contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.

3. In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2004/014089

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-18	YES
	Claims		NO
Inventive step (IS)	Claims	1-18	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-18	YES
	Claims		NO

2. Citations and explanations:

1 Reference is made to the following document:

D1: FR 2 812 227 A (SPIE CAPAG S.A.) 1 February
2002 (2002-02-01)

2 Document D1 is considered to be the closest prior art. It discloses (the references between parentheses relate to said document):

an orbital welding device with an orbital carriage, a welding head arranged on the orbital carriage and a connecting line according to claim 1,

- the welding unit being formed as a high-power YAG laser beam source, by means of which a laser beam can be generated,

- the connecting line being formed as a light guide for guiding the laser beam to the orbital carriage and

- the welding head being formed as a laser welding head for directing the laser beam into a laser welding zone and for the consequent production of the weld seam,

from which the subject matter of independent claim 1 differs in that:

- the welding unit is formed as a high-power fibre laser beam source instead of a high-power YAG laser beam source.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY		International application No. PCT/EP2004/014089
Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
<p>2.1 The subject matter of claim 1 is therefore novel (PCT Article 33(2)).</p> <p>The invention is therefore based on the object of providing a device for the orbital welding of pipelines by means of a circumferential weld seam, which has only one layer or fewest possible layers, with which higher welding speeds than in the case of MAG orbital welding, increased process reliability and high weld seam quality can be achieved.</p> <p>2.2 The solution to this problem that is proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)) for the following reasons:</p> <p>In comparison with a YAG fibre laser source, a high-power fibre laser source allows a higher welding speed and the welding of tubes with fewer layers, and consequently better process reliability and weld quality.</p> <p>2.3 Claims 2-18 are dependent on claim 1 (see Box VIII concerning the dependence of claims 16-18) and therefore likewise meet the PCT requirements for novelty and inventive step.</p>		

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2004/014089

Box No. VI Certain documents cited

1. Certain published documents (Rule 43bis.1 and 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
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See supplemental sheet

2. Non-written disclosures (Rule 43bis.1 and 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
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See form 210

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2004/014089

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The structure of the dependent claims is such that it makes the application unclear. Claim 16 should be worded as an orbital welding device claim, so that its dependence on orbital welding device claim 15 is clear, and so that it does not appear to be worded as a separate, independent claim of the same category (PCT Article 6). For this reason, claim 16 was interpreted in the search and in this opinion as an orbital welding device according to claim 15.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2004/014089

Supplemental Box

In case the space in any of the preceding boxes is not sufficient,

Continuation of:

Box VI

1. Reference is made to the following document:

D2: RU-C-2 229 367 (POPADINETS JURIJ VASIL'EVICH)
27 May 2004 (2004-05-27)

2. It is evident from D2 (see flyleaf, ICIREPAT (43))
that it was published on 20.02.2004.